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10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA  
12 FRESNO DIVISION  
13

14 ORALIA GARCIA ESPARZA,  
15  
16 Plaintiff,  
17 v.  
18 KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,  
19 Defendant.<sup>1</sup>

No. 1:21-cv-00991-SKO

STIPULATION AND ORDER FOR EXTENSION  
TO FILE DEFENDANT'S OPPOSITION TO  
PLAINTIFF'S OPENING BRIEF

(Doc. 20)

20 IT IS HEREBY STIPULATED, by and between Oralia Garcia Esparza (Plaintiff) and  
21 Kilolo Kijakazi, Acting Commissioner of Social Security (Defendant), by and through their  
22 respective counsel of record, that, with the Court's approval, Defendant shall have an extension of  
23 time of thirty (30) days to file a Response to Plaintiff's Opening Brief. This is Defendant's  
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25  
26 <sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant  
27 to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted,  
28 therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to  
continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42  
U.S.C. § 405(g).

1 second request for an extension on her Response to Plaintiff's Opening Brief. The current due  
2 date is June 21, 2022. The new date will be July 21, 2022. All other deadlines will extend  
3 accordingly.  
4

5 Good cause exists for this request. Defendant's counsel has worked diligently to meet the  
6 timelines provided by the Court but has been unable to work the week of June 13 through June 17  
7 because her 2 year old daughter and her husband tested positive for COVID-19 and both became  
8 very sick. It is likely her daughter contracted the virus at her daycare, which had to close down  
9 for the entire week because of the number of positive cases. Now on June 16, 2022, Defendant's  
10 counsel has tested positive for the virus and expects that she will be out of the office for most of  
11 the week of June 20 through June 24. Defendant apologizes to the Court for any inconvenience  
12 caused by this delay.  
13

14 Respectfully submitted,  
15

16 DATE: June 17, 2022

/s/ Jonathan Omar Pena  
JONATHAN OMAR PENA  
Attorney for Plaintiff  
(as approved via email)

19 PHILLIP A. TALBERT  
United States Attorney

20 DATE: June 17, 2022

21 By s/ Margaret Lehrkind  
MARGARET LEHRKIND  
Special Assistant United States Attorney

23 Attorneys for Defendant  
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**ORDER**

Based upon the foregoing stipulation of the parties (Doc. 20), and for good cause shown, *see* Fed. R. Civ. P. 16(b)(4),

IT IS HEREBY ORDERED that Defendant shall have an extension of time, to and including July 21, 2022, in which to file her response to Plaintiff's Motion for Summary Judgment. All other deadlines set forth in the Scheduling Order (Doc. 11) shall be extended accordingly.

IT IS SO ORDERED.

Dated: **June 21, 2022**

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE